

# Environmental Condition of Property (ECP) Checklist

Page 1 of 8

<b>Title:</b>	Lease Tank Farm 5 for Solar Photovoltaic Array
<b>Installation:</b>	Naval Station Newport, Rhode Island
<b>Parcel/Site Location and Description:</b>	<p>NAVSTA Newport is located approximately 60 miles southwest of Boston, Massachusetts, and 25 miles south of Providence, Rhode Island. This naval facility consists of approximately 1,000 acres located on the western shore of Aquidneck Island, adjacent to Narragansett Bay, in the towns of Portsmouth and Middletown, and in the city of Newport, Rhode Island. NAVSTA Newport was formerly known as the Naval Education and Training Center (NETC), established in the 1940s during World War II. Training and research and development have been the primary activities at NAVSTA Newport from 1974 to present. Land use surrounding the base is residential, commercial, and industrial. Tank Farm 5 (Site 13) occupies approximately 85 acres and is located within the northern portion of the NAVSTA Newport facility.</p> <p>NAVSTA Newport was placed on the National Priorities List (NPL) in 1989. Tank Farm 5 contains the remnants of 11 former 2.5-million-gallon-capacity underground storage tanks (USTs) originally used to store No. 6 fuel oil and later closed in place. Two of the USTs were also periodically used to store heating oil and waste oil. Tank Farm 5 is partially fenced and signs are posted at entrances restricting access to authorized personnel.</p> <p>There is a Land Use Control (LUC) Remedial Design (RD) for Decision Unit (DU) 5-1 at Tank Farm 5, Site 13, Operable Unit 2, at the Naval Station (NAVSTA) Newport, Middletown, Rhode Island. The LUC RD was developed as part of the remedial design for DU 5-1 at Tank Farm 5 to address LUC implementation actions in accordance with the Record of Decision (ROD) for DU 5-1 at Tank Farm 5. DU 5-1 occupies approximately 6 acres at the northwestern corner of Tank Farm 5.</p> <p>Tanks 53 and 56 were located at Tank Farm 5. These tanks were constructed in the 1940s and had a capacity of 2.52 million gallons. Fuel oils were stored in the tanks from WWII to 1974. From 1975 to 1984 the tanks were used in an oil recovery program to store used oil for alternate use as a heating fuel. Oil was observed overflowing from Tank 53 in 1990. Chlorinated and aromatic hydrocarbon compounds were detected in groundwater located in the vicinity of Tanks 53 and 56. In 1992, sludge, oil, and water were removed from the tanks and the interiors were cleaned. The tanks were demolished in 1998 and 1999. Each tank was closed in place by demolishing the roof and support structures, and then backfilled with clean fill. Both a source removal action and a management-of-migration alternative were implemented at this site, as follows. In 1995 and 1996, contaminated soil found near tank 53 was removed. A groundwater extraction and treatment/containment system was constructed in 1994 and was in operation for two years. The system was shut down in 1996 and demolished in 2008 since groundwater concentrations were below cleanup levels. The remedial objectives for Tanks 53 and 56 have been met. Five rounds of groundwater sampling conducted after the treatment system was shut down confirmed that the remedial action was successful. Exposure pathways that could result in unacceptable risks have been eliminated and the source of the contamination has been removed. A Record of Decision to document no further action is all that is needed to close this operable unit.</p> <p>UST 50 will be studied to determine if there is remaining contamination requiring CERCLA action. This tank is excluded from the Solar PV project footprint.</p>
<b>Proposed Real Estate Action Description:</b>	Lease land to commercial power utility under a Power Purchase Agreement
<b>Site Summary Information</b> <b>Part 1. Information regarding site uses and any hazardous materials, contamination, or conditions.</b> All available and pertinent files, records, reports and aerial photographs were reviewed and, where necessary, a site inspection and/or personal interviews were conducted to document the environmental conditions of the property to support the proposed real estate action. A summary of the conditions, sources of information (including location), and any required use restrictions is provided for each environmental condition.	

# Environmental Condition of Property (ECP) Checklist

Page 2 of 8

<b>A. Parcel/Site Uses:</b>							
Prior Uses:	Tank Farm for the storage of Navy fuel oils in tank numbers (TNOs) 49-52, 54-55, and 57-59. Waste oil and solvents were stored in TNOs 53 and 56.						
Current Uses:	Restricted access; no use.						
Future Uses:	Solar Photovoltaic						
<b>B. Contaminants:</b>							
	Yes						
If yes, identify contaminant & media:	<p>Outside DU5-1: Elevated arsenic, and unknown other contaminants.</p> <p>DU 5-1: arsenic, cobalt, iron and manganese concentrations in groundwater pose potentially unacceptable risk to hypothetical future residents. Additionally, arsenic is present in soil at concentrations exceeding the state regulatory criteria and manganese is present in soil at concentrations posing a potential risk to construction workers. No unacceptable human health risk was identified from site sediment or surface water.</p>						
Source of information:	Administrative record at <a href="http://go.usa.gov/DyNw">http://go.usa.gov/DyNw</a> or <a href="https://www.navfac.navy.mil/products_and_services/ev/products_and_services/env_restoration/installation_map/navfac_atlantic/midlant/newport.html">https://www.navfac.navy.mil/products_and_services/ev/products_and_services/env_restoration/installation_map/navfac_atlantic/midlant/newport.html</a>						
Restrictions or Land Use Controls:	Yes						
If yes, please identify and explain in detail in Section 2 below:							
<b>C. Hazardous Materials Use:</b>	Unknown						
<b>Hazardous Materials Storage:</b>	Unknown						
Type of HM:							
Type of Use and/or Storage:							
Source of information:	No records could be found.						
Restrictions or Land Use Controls:	No						
If yes, please identify and explain in detail in Section 2 below.							
<b>D. Treatment, Storage, Disposal of Hazardous Waste:</b>	Yes						
Source of information:	Tanks 53 & 56 contained waste oils and solvents. No other records could be found.						
Restrictions or Land Use Controls:	No						
If yes, please identify and explain in detail in Section 2 below.							
<b>E. Underground Storage Tanks:</b>							
UST No.	<table border="1"> <tr> <td>Facility ID: 214</td> <td>Gals.</td> <td>27.5 million</td> </tr> <tr> <td colspan="3">Tank Numbers (TNOs) 49-59.</td> </tr> </table>	Facility ID: 214	Gals.	27.5 million	Tank Numbers (TNOs) 49-59.		
Facility ID: 214	Gals.	27.5 million					
Tank Numbers (TNOs) 49-59.							
Source of information:	Tank Records. Tanks demolished in place in mid 1990s. The Rhode Island Department of Environmental Management (RIDEM) has not issued closure certificates or no further action letters for underground storage tanks 50, 51, 52 (outside of solar array footprint), 54 and 57 due to unresolved petroleum contamination in soil and groundwater. The records contain a draft Corrective Action Plan (CAP) for leaking tanks 51, 52, 54 & 57 that was never approved by RIDEM. A closure assessment was performed for the removal of the loop and shunt piping and RIDEM has not						

# Environmental Condition of Property (ECP) Checklist

Page 3 of 8

issued a no further action.

Restrictions or Land Use Controls: Yes

If yes, please identify and explain in detail in Section 2 below.

F. Above-Ground Storage Tanks: No

AST No.

Gals.

Source of information:

No records could be found.

Restrictions or Land Use Controls: No

If yes, please identify and explain in detail in Section 2 below.

G. Presence of Polychlorinated Biphenyl's (PCB's): Unknown

A hazardous material survey should be performed for the following buildings to determine if PCBs are present.

From Infads + Map Grid search

(Not including facilities associated with the OTC Fire Fighting School)

I9: None

I10: None

I11: None

I12: None

Source of information:

J10: None

J11: None

J12: None

Possible other facilities:

112 & 113 - Have similar function as 109 + 110 in TF-4. As 110 was not demolished, these facilities may also still exist but heavy undergrowth precludes confirmation. PWD has on hand construction drawing that call for the demolition of Bldg. 112, but unable to confirm this work was completed due to undergrowth.

Buildings 112 and 113 are located outside of the solar array footprint.

Restrictions or Land Use Controls: Yes

If yes, please identify and explain in detail in Section 2 below.

H. Asbestos:

Yes

If yes:

Friable

According to the Asbestos Pgm. Mgr., direct buried and trenched abandoned piping containing TSI friable asbestos is present onsite.

A hazardous material survey should be performed for the following buildings to determine if asbestos is present.

From Infads + Map Grid search

(Not including facilities associated with the OTC Fire Fighting School)

I9: None

I10: None

Source of information:

I11: None

I12: None

# Environmental Condition of Property (ECP) Checklist

Page 4 of 8

J10: None

J11: None

J12: None

Possible other facilities:

112 & 113 - Have similar function as 109 + 110 in TF-4. As 110 was not demolished, these facilities may also still exist but heavy undergrowth precludes confirmation. PWD has on hand construction drawing that call for the demolition of Bldg 112, but unable to confirm this work was completed due to undergrowth.

Restrictions or Land Use Controls: Yes

If yes, please identify and explain in detail in Section 2 below.

**I. Lead Paint:**

Yes

According to the LBP Pgm. Mgr., the soils in the vicinity of the perimeter fence may contain lead from non intact painted surface.

A hazardous material survey should be performed for the following buildings to determine if LBPs are present.

From Infads + Map Grid search

(Not including facilities associated with the OTC Fire Fighting School)

I9: None

I10: None

I11: None

I12: None

J10: None

J11: None

J12: None

Source of information:

Possible other facilities:

112 & 113 - Have similar function as 109 + 110 in TF-4. As 110 was not demolished, these facilities may also still exist but heavy undergrowth precludes confirmation. PWD has on hand construction drawing that call for the demolition of Bldg 112, but unable to confirm this work was completed due to undergrowth.

Restrictions or Land Use Controls: Yes

If yes, please identify and explain in detail in Section 2 below.

**J. Radon:**

No

Source of information:

Radon may be present in buildings.

Restrictions or Land Use Controls: Yes

If yes, please identify and explain in detail in Section 2 below.

**K. Radiological Materials:** Unknown

Source of information:

No record could be found.

Restrictions or Land Use Controls: No

If yes, please identify and explain in detail in Section 2 below.

**L. Solid/Bio-Hazardous Waste:** Unknown

# Environmental Condition of Property (ECP) Checklist

Page 5 of 8

Source of information:	No record could be found.
Restrictions or Land Use Controls:	No
If yes, please identify and explain in detail in Section 2 below.	
M. Munitions and Explosives of Concern:	Unknown
Source of information:	No record could be found.
Restrictions or Land Use Controls:	No
If yes, please identify and explain in detail in Section 2 below.	
N. Threatened or Endangered Species:	Yes
Source of information:	Threatened NLEB. Not likely to adversely effect determination. Final Bat Assessment Report 2009-2013. U.S. Fish and Wildlife Service Letter of August 12, 2015.
Restrictions or Land Use Controls:	Yes
If yes, please identify and explain in detail in Section 2 below.	
O. Natural or Cultural Resources:	Yes
Source of information:	Final Phase 1 Report, Archaeological Investigations to Support Construction and Operation of Solar Photovoltaic Systems at Multiple U.S. Navy Installations within NAVFAC Atlantic Area of Responsibility, NAVSTA Newport, Newport County, dated May 2015. State of Rhode Island, Historical Preservation & Heritage Commission concurrence letter of April 7, 2015. Integrated Natural Resource Management Plan / Natural Resource Manager. Integrated Cultural Resource management Plan / Cultural Resource Manager. Final Wetland Delineation Report for Naval Station Newport, Rhode Island, dated February 2015.
Restrictions or Land Use Controls:	Yes
If yes, please identify and explain in detail in Section 2 below.	
P. Use of Adjacent Property:	
Current Use:	Open space (undeveloped property), residential property, Navy's Fire Fighter Trainer facility and Defense Highway.
Past Use:	Open space (undeveloped property), residential property, Navy's Fire Fighter Trainer facility and Defense Highway.
Source of information:	Aerial maps.
Restrictions or Land Use Controls:	No
If yes, please identify and explain in detail in Section 2 below.	
Q. Has the site had any Notices of Violation?	Yes
If yes, please explain:	LS 2227 issued for leaking UST TNOs 50, 51, 52, 54 and 57. Immediate Compliance order from RIDEM, dated February 15, 1990, regarding the cleanup and closure of TNOs 53 and 56. Letter of Deficiency from RIDEM, dated August 29, 2015, ordering the closure of Tank 53 and 56 under the RI Hazardous Waste Management Act.
Source of information:	Tank records.

# Environmental Condition of Property (ECP) Checklist

Page 6 of 8

Restrictions or Land Use Controls:

If yes, please identify and explain in detail in Section 2 below.

## R. Additional information or comments regarding questions shown above (*attach sheet(s) if additional room is needed*):

Perfluorinated Compounds (PFCs) - The Navy is sampling groundwater for fluorocarbons PFOA (perfluorooctanoic acid) and PFOS (perfluorooctane sulfonate) across the tank farm. The soils around Buildings 112 and 113, the former foamite buildings, may undergo sampling for PFOA/PFOS if these compounds are detected in groundwater. The USEPA may require additional restrictions in the Solar PV footprint if results of the Navy's investigation indicate PFCs are present.

Source of information:

Restrictions or Land Use Controls:

If yes, please identify and explain in detail in Section 2 below.

## Part 2. List of Restrictions or Land Use Controls (if any) required for Real Estate Action:

Tank Farm 5 (Site 13) is a Navy Installation Restoration (IR) site. Restrictions are described in the following documents and references:

- (1) Land Use Control Remedial Design Decision Unit 5-1 at Tank Farm 5 (Site 13) Operable Unit 2, Naval Station Newport, Middletown, Rhode Island, dated July 23, 2014;
- (2) use of lands that comprise Decision Unit 5-1 is prohibited;
- (3) use of the area within 50 feet of the perimeter fence is prohibited;
- (4) soils must be managed in accordance with the Soil Management Plan for Naval Station Newport, Newport RI dated June 3, 2010 as amended;
- (5) a Health and Safety Plan (HASP) is required and workers disturbing soil must possess the 40 hour uncontrolled hazardous waste site training under 29 CFR 1910.120 Hazardous Waste Operations and Emergency Response (HAZWOPER);
- (6) all work and site activities must conform with local instruction NAVSTANPTINST 5090.15C entitled, "Land Use Restrictions For Installation Restoration (IR) Sites And Other Contaminated Properties, as amended; (5) Federal Facilities Agreement of 1992 applies to Tank Farm 4;
- (7) Rhode Island Coastal Resource Management Council (RICRMC) restrictions specified in their letter of March 24, 2014, including the submission of the design and plans as part of either a federal Consistency Determination for their concurrence or application for an assent;
- (8) Design plans & specifications and work plans must be submitted to the Rhode Department of Environmental Management (RIDEM) and U.S. Environmental Protection Agency (USEPA) for their review and approval prior to installation/construction to demonstrate compliance with the restrictions specified in their letters of July 9, 2015 (RIDEM), July 6, 2015 (USEPA), and October 29, 2015 (USEPA);
- (9) use of Pesticides at the site are prohibited
- (10) no site work shall begin until a Preliminary Determination Application is approved by the Rhode Island Department of Environmental Management's, Fresh Water Wetlands Section;
- (11) direct buried abandoned piping containing TSI friable asbestos may be encountered;
- (12) U.S. Fish and Wildlife Service Letter of August 12, 2015, prohibits tree clearing October 1 through April 14 and limitations on the acres that can be removed are shown in "Figure A NS Newport Aerial TF5 V2. pdf";
- (13) a hazardous material survey, which includes lead base paint and asbestos, must be performed before any building, structure, trench or ruin is disturbed;
- (14) the area within a 100 foot radius from the center of former underground storage tanks 50, 51, 54 and 57 is prohibited from use until such time that either RIDEM approved Corrective Action Plans are implemented or RIDEM issues Closure Certificates indicating no further action;
- (15) the existing markers showing the center of the former underground storage tanks must be protected and maintained;
- (16) Solar PV footprint may be restricted further if the results of the Navy's PFC investigation indicate these compounds are present in the project's footprint (EPA's concurrence is conditioned on the results being non detect);
- (17) the area within a 100 foot radius from the center of former underground storage tank 50 or other area sufficient to provide access to perform any further investigations and cleanup (EPA letter of 29 October 2015) is excluded from the Solar PV project until such time that it is determined a CERCLA action is not required;
- (18) use or disturbance of archaeological site RI 2519 is prohibited;
- (19) use of the area on both sides and within 50 feet of the loop and shunt piping is prohibited from use until such time the RIDEM issues a no further action on the Piping Closure Assessment; and

# Environmental Condition of Property (ECP) Checklist

Page 7 of 8

(19) monitoring wells must be protected and vehicle access to monitoring wells maintained at all times.

# Environmental Condition of Property (ECP) Checklist

Page 8 of 8

## 3. Signature:

Based on the records reviews, site inspections, and interviews conducted for the proposed real estate action, the environmental conditions of the property are as stated in this document and this property is suitable for outgrant or transfer with the inclusion of the restrictions or Land Use Controls (if any) identified above.

ECP Checklist Preparer:

[Redacted]

Print Name

November 16, 2015

Date

PWD Environmental:

[Redacted]

Signature

Environmental Director

Title

[Redacted]

Print Name

November 16, 2015

Date

Environmental Professional (EBL(EV3)):

[Redacted]

Signature

NAVFAC Midlant ER Mgr

Title

[Redacted]

Print Name

Dec 9, 2015

Date

Property Owner (Activity or Region):

The property Owner (Activity or Region) acknowledges and accepts the foregoing statement of environmental conditions and the restrictions or Land Use Controls (if any) that will be required for this real estate outgrant.

[Redacted]

Signature

Commanding Officer

Title

[Redacted]

Print Name

Date

Real Estate Professional:

The real estate professional(s) acknowledge these restrictions or Land Use Controls (if any) identified above and will ensure they are made apart of the outgrant document.

[Redacted]

Signature

Realty Specialist

Title

[Redacted]

Print Name

Oct 6, 2016

Date

Exp.  
6